

Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

0071489

OCT 20 2006

07-AMCP-0009

Mr. Jay J. Manning, Director
State of Washington
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504

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Dear Mr. Manning:

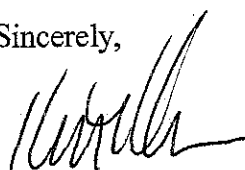
INITIATION OF DISPUTE RESOLUTION FOR HANFORD FEDERAL FACILITY
AGREEMENT AND CONSENT ORDER (TRI-PARTY AGREEMENT) CHANGE
CONTROL FORM M-91-06-01

The purpose of this letter is to invoke dispute resolution with the State of Washington Department of Ecology (Ecology) pursuant to Article VIII, paragraph 30 of the Tri-Party Agreement. On September 29, 2006, a signed Tri-Party Agreement Change Control Form #M-91-06-01 was submitted to Ecology and the U.S. Environmental Protection Agency, as required for a Class I Tri-Party Agreement change request. Ecology is the lead regulatory agency for the M-91 milestone series. No written response was received from Ecology within 14 days of Tri-Party Agreement change request submittal (by October 13, 2006); consequently, under the Tri-Party Agreement Action Plan Section 12.3.3 the change request is deemed disapproved. The U.S. Department of Energy, Richland Operations Office (RL) objects to the Ecology disapproval of the Tri-Party Agreement change request.

RL requests Ecology work with us to update the M-91 Milestone series based on current information and experience gained since the initial commitments were agreed to in 2003. Due to the wide scope and complexity of the changes, it is proposed that the dispute initially be extended at the Project Manager level until January 31, 2007. Please respond with your concurrence on the extension or alternative proposal by October 30, 2006.

If you have any questions, please contact me, or your staff may contact Matt McCormick, Assistant Manager for the Central Plateau, on (509) 373-9971.

Sincerely,


Keith A. Klein
Manager

AMCP:GLS

cc: See page 2

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cc: G. Bohnée, NPT
N. Ceto, EPA
L. J. Cusack, Ecology
S. Harris, CTUIR
J. Hedges, Ecology
R. Jim, YN
T. M. Martin, HAB
R. D. Morrison, FHI
K. Niles, ODOE
R. E. Piippo, FHI
K. M. Quigley, DFSH
D. Singleton, Ecology
R. R. Skinnarland, Ecology
J. G. Vance, FFS
Administrative Record (M-91)
Environmental Portal